

INTER OFFICE MEMO

To: Marketing, Planning & Legislative Committee Date: 04/28/2023

From: Pranjal Dixit, Manager of Planning Reviewed by: MV2

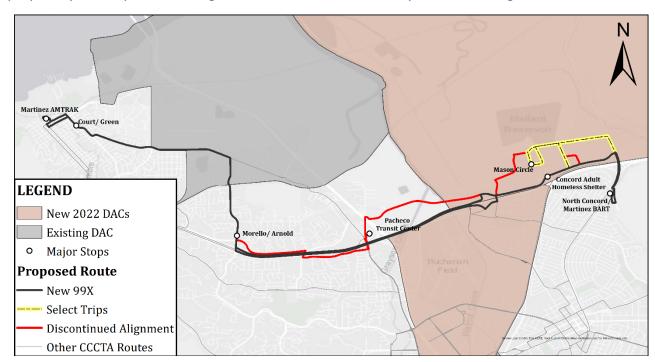
SUBJECT: 99X Fare and Service Change Title VI Equity Analysis

Background:

Starting in August 2018, County Connection launched Route 99X, which runs from Martinez Amtrak to North Concord BART during peak hours and serves the Pacheco Transit Center, Concord Adult Homeless Shelter, Contra Costa County offices at Glacier and Muir, and the courthouse in Martinez. The route is funded by the Low Carbon Transit Operations Program (LCTOP) cap and trade grant program. Route 99X serves the Disadvantaged Community (DAC) in Martinez around Pacheco and Morello as shown in the map below. Beginning in FY 2021-22, DAC definitions were updated, and there are now three additional DACs in County Connection's service area in Concord.

During the pandemic, as people started working remotely, ridership on commuter trips went down and has remained significantly below pre-pandemic levels as many workers have not yet returned to the office full-time. Although overall Express route ridership continues to lag, Route 99X continues to underperform compared to other express routes.

In March 2023, staff presented a service change proposal that included consolidation of Route 27, which currently provides limited trips within North Concord, with Route 99X, along with elimination of route segments with little to no ridership on both routes. Additionally, in April 2023, staff also provided a proposal to offer free rides on the 99X. The Board authorized staff to proceed with a Title VI Service Equity Analysis and public hearing, which will be held at the May Board meeting.



Title VI Requirement:

As a federal grant recipient, County Connection is required to maintain and provide to the Federal Transit Administration (FTA) information on its compliance with Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination by recipients of federal financial assistance. The FTA further requires that recipients of FTA financial assistance conduct an analysis on all service changes and fare changes to assess the impacts of those changes on low-income and minority populations. As the proposal included elimination of a route and free fare program that will reduce the fares on this route, implementation of the program is both a major service change and fare change requiring an equity analysis under the FTA's Title VI regulations.

Equity Analysis:

Staff completed a Title VI Service Equity Analysis for the proposed route and fare changes. The proposal includes elimination of Route 27 and a change to the Route 99X alignment that affects more than 25% of the daily transit revenue miles, so it is considered a "major" service change under County Connection's Major Service Change Policy. Each route change independently constitutes a major service change. However, due to the interconnected nature of the proposal, this analysis evaluates the changes to both routes as a single major service change. In addition, the proposal to provide free fares on Route 99X constitutes a fare change pursuant to the Circular.

As part of the 2013 Title VI Policy update, the Board established a threshold of 20% for determining both disparate impacts to minorities and disproportionate burdens on low-income populations. The analysis evaluates the impacts of the service plan by comparing the proportion of minority and low-income riders who would be affected by the change to the system as a whole.

Both the Service and Fare Equity analyses did not indicate any disparate impact to minorities or disproportionate burden on low-income populations as result of the proposed service and fare changes.

On the Service Equity Analysis, while minority riders would be impacted slightly more than their proportion of population systemwide, the differential of +1.4% is well within the 20% threshold set forth in the disparate impact policy. Low-income riders would be impacted less than their proportion of population on the system as a whole by a margin of 3.9%.

	% Minority	% Low-Income
Percent Impacted	51.3%	7.5%
Systemwide	49.9%	11.4%
Difference from Systemwide	+1.4%	-3.9%
Results	No Disparate Impact	No Disproportionate Burden

Table 1: Service Impact Analysis Results

On the Fare Equity Analysis, the impacted populations are slightly less minority and slightly less low-income than the service area as a whole, the differences are beneath County Connection's Disparate Impact and Disproportionate Policy thresholds of 20%.

Table 2: Fare Impact Analysis Results

	% Minority	% Low-Income
Percent Impacted	45.9%	9.7%
Systemwide	49.9%	11.4%
Difference from Systemwide	-4.0%	-1.7%
Results	No Disparate Impact	No Disproportionate Burden

Public Outreach:

In April 2023, staff began outreach to receive public comment on the proposed service and fare change. A public hearing has been scheduled for May 18, 2023 preceding the Board of Directors meeting. The public may also submit written comments via mail, email, and online through County Connection's website. As of April 27, 2023, a total of two (2) comments have been received. One (1) was in favor of the proposal, and the other was related to specific trip times, which staff will take into consideration when finalizing schedules. The deadline for written comments is May 10, 2023. All comments received will be included in the final Title VI report, which will be presented to the FTA.

Financial Implications:

LCTOP funds will be used to operate and subsidize fares on Route 99X during FY 2024. Continuation of the program beyond FY 2024 will be contingent upon available funding.

Recommendation:

Staff recommends that the MP&L Committee forward the attached Title VI Equity Analysis to the Board for review and approval. The analysis has been reviewed by legal counsel, and the public outreach section will be updated upon completion of the scheduled public hearing.

Action Requested:

Staff requests that the MP&L Committee forward this item to the Board for approval.

Attachments:

Attachment 1: Title VI Equity Analysis

County Connection

Title VI Equity Analysis

Routes 99X and 27 Consolidation & Free Fare

CENTRAL CONTRA COSTA TRANSIT AUTHORITY May 2023

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1 INTRODUCTION

As a federal grant recipient, the Central Contra Costa Transit Authority (County Connection) is required to maintain and provide to the Federal Transit Administration (FTA) information on its compliance with Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination by recipients of federal financial assistance. The FTA further requires that recipients of FTA financial assistance conduct an analysis on all major service changes to assess the impacts of those changes on low-income and minority populations.

County Connection proposes consolidation of Route 27, which currently provides limited trips within North Concord, with Route 99X, which provides limited-stop express service between the North Concord/ Martinez BART Station and Martinez Amtrak Station. County Connection is also proposing alignment changes on Route 99X to improve connectivity between BART and AMTRAK along with increasing efficiency of service. Additionally, County Connection also proposes implementation of free fares on Route 99X subsidized through California's Low Carbon Transit Operations Program (LCTOP), which would also apply to complementary paratransit trips. County Connection intends to operate the Program as long as funding remains available through LCTOP or through another funding source.

Since the proposal includes elimination of standalone Route 27 and removal of stops on Route 99X at Pacheco Transit Center as well as along Muir Rd and Arnold Dr, a service equity analysis is required under the FTA's Title VI regulations and County Connection's Title VI Policies. Additionally, implementation of free fares on Route 99X results in fare decrease, so a fare equity analysis is also required.

The following equity analyses for the proposed service and fare changes conclude the following: (i) the demographics of population served in the catchment area for the proposed changes is similar to the demographics of the population served by the system as a whole; (ii) the implementation of the proposed changes will not have a disparate impact based on race; and (iii) implementation of the proposed changes will not impose a disproportionate burden on low-income riders.

2 TITLE VI POLICIES

In October 2012, the FTA released Circular 4702.1B (Circular), which provides guidelines for compliance with Title VI. Under the Circular, transit operators are required to study proposed fare changes and "major service changes" before the changes are adopted to ensure that such changes do not have a discriminatory effect based on race, color, national origin or low-income status of affected populations. As a first step, public transit providers must adopt their own "Major Service Change," "Disparate

Impact," and "Disproportionate Burden," policies. County Connection's Board of Directors adopted these policies in June 2013. The adopted Major Service Change, Disparate Impact and Disproportionate Burden policies, referred to cumulatively as "County Connection's Title VI Policies," are described below. Resolution No. 2013-019 demonstrates the Board's consideration, awareness, and approval of these policies is included in Appendix A.

2.1 Major Service Change Policy

The Major Service Change Policy establishes a threshold for when a proposed service increase or decrease is "major," and thus must be subject to a Title VI Equity Analysis.

County Connection previously defined major service decreases in its adopted "Public Hearing Policy." The Major Service Change Policy applies this threshold to both increases and decreases and provides for changes to be measured not just individually, but on a cumulative basis over a 12-month period.

County Connection defines a major service change as:

- An increase or decrease of 25 percent or more to the number of transit route miles of a bus route.
- An increase or decrease of 25 percent or more to the number of daily transit revenue miles of a bus route for the day of the week for which the change is made.
- A change of service that affects 25 percent or more of daily passenger trips of a bus route for the day of the week for which the change is made.
- Changes shall be counted cumulatively, with service changes being "major" if the 25 percent change occurs at one time or in stages, with changes totaling 25 percent over a 12-month period.

The following service changes are exempt from this policy:

- Changes to service on a route with fewer than 10 total trips in a typical service day are not considered "major" unless service on that route is eliminated completely on any such day.
- The introduction or discontinuation of short- or limited-term service (e.g., promotional, demonstration, seasonal or emergency service, or service provided as mitigation or diversions for construction or other similar activities), as long as the service will be/has been operated for no more than twelve months.
- County Connection-operated transit service that is replaced by a different mode or operator
 providing a service with similar or better headways, fare, transfer options, span of service, and
 stops.

2.2 Disparate Impact Policy

The Disparate Impact Policy establishes a threshold for determining whether proposed fare or major service changes have a disproportionately adverse effect on minority populations relative to non-minority populations on the basis of race, ethnicity or national origin.

The threshold is the difference between the burdens borne by, or benefits experienced by, minority populations compared to non-minority populations. Exceeding the threshold means either that a fare or major service change negatively impacts minority populations more than non-minority populations, or that the change benefits non-minority populations more than minority populations. A change with disparate impacts that exceed the threshold can only be adopted (a) if there is substantial legitimate justification for the change, and (b) if no other alternatives exist that would serve the same legitimate objectives with less disproportionate effects on the basis of race, color or national origin.

County Connection establishes that a fare change, major service change or other policy has a disparate impact if minority populations will experience 20% more of the cumulative burden, or experience 20% less of the cumulative benefit, relative to non-minority populations, unless (a) there is substantial legitimate justification for the change, and (b) no other alternatives exist that would serve the same legitimate objectives with less disproportionate effects on the basis of race, color or national origin.

2.3 Disproportionate Burden Policy

The Disproportionate Burden Policy establishes a threshold for determining whether proposed fare or major service changes have a disproportionately adverse effect on low-income populations relative to non-low-income populations.

The threshold is the difference between the burdens borne by, and benefits experienced by, low-income populations compared to non-low-income populations. Exceeding the threshold means either that a fare or service change negatively impacts low-income populations more than non-low-income populations, or that the change benefits non-low-income populations more than low-income populations. If the threshold is exceeded, County Connection must avoid, minimize or mitigate impacts where practicable.

County Connection establishes that a fare change, major service change or other policy has a disproportionate burden if low-income populations will experience 20% more of the cumulative burden, or experience 20% less of the cumulative benefit, relative to non-low-income populations, unless avoiding, minimizing, or mitigating the disproportionate effects is impracticable.

2.4 Public Outreach

In developing its Disparate Impact and Disproportionate Burden policies, County Connection Staff (Staff) conducted public outreach (detailed below), including three public meetings with language services available, to provide information and receive feedback on the draft policies. Staff incorporated public input gathered through this outreach into the policies proposed for Board approval.

March 28, 2013 – Monument Corridor Transportation Action Team

Public Comment(s): Include an annual review to ensure that major service change threshold has not been exceeded.

April 15, 2013 – Public Meeting at the San Ramon Community Center

Public Comment(s): Include an annual review for major service changes.

May 14, 2013 - Public Meeting at the Walnut Creek Library

Public Comment(s): None

April 1st – June 1st, 2013 – Draft policies made available for public comments on County Connection Website, https://countyconnection.com/weekend-monument-free/

June 20, 2013 – Public Hearing and Proposed Adoption at the County Connection Board of Directors Meeting

Public Comments: None

3 PROPOSAL DESCRIPTION

Starting in August 2018, County Connection launched Route 99X, which is funded by LCTOP. The route runs from the Martinez Amtrak Station to North Concord/Martinez BART during peak hours and serves the Pacheco Transit Center, Concord Adult Homeless Shelter, Contra Costa County offices at Glacier Drive and Muir Road, and the Contra Costa County Superior Courthouse in Martinez. In Martinez, Route 99X serves the section around Pacheco and Morello, which is part of the Disadvantaged Community (DAC) in Martinez. Beginning in FY 21-22, DAC definitions were updated and there are now three additional DACs in County Connection's service area in Concord.

Route 99X has not attracted much ridership since it was introduced in 2018, and even at its peak, its performance was below the overall average for all County Connection express routes. During the Covid-19 pandemic, as people started working remotely, commuter trips went down and have remained significantly below pre-pandemic levels as many workers have not yet returned to the office full-time.

Although there has been a sustained overall reduction in ridership with County Connection's express routes, Route 99X still continues to underperform compared to other express routes.

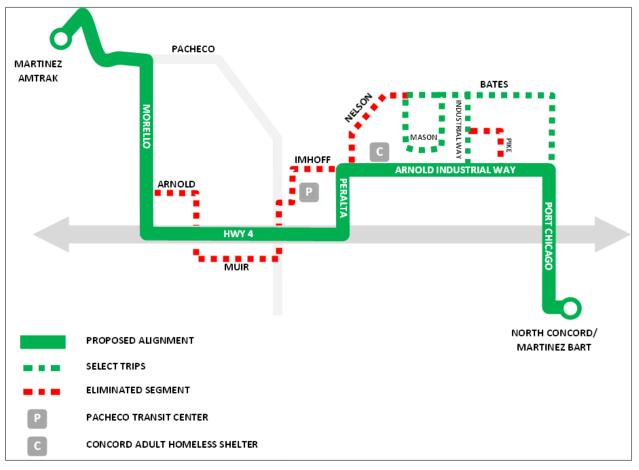
The proposed service changes are intended to increase ridership, efficiency and productivity and will also include consolidation of Route 27, which currently provides limited trips within North Concord as shown below. The proposed new alignment and schedule would:

- Provide a faster and more direct connection between North Concord BART and Martinez
 Amtrak;
- Continue serving high usage stops like North Concord BART, Concord Adult Homeless Shelter, Morello Avenue/Arnold Drive, Martinez Amtrak station, and Mason Circle;
- Eliminate route segments with little to no ridership on both Routes 27 and 99X, including Pike Ln, the Pacheco Transit Center, Muir Rd, and Arnold Dr;
- Improve transfer connections with Amtrak; and
- Provide free fares on the newly-consolidated route to increase ridership and make transit more
 accessible and affordable, particularly to low-income communities, as well as related paratransit
 trips.

Consolidation of Route 27 with Route 99X will improve connectivity between Amtrak and BART through more frequent service, increased number of trips and increased efficiency of resources used.

Currently, passengers using Clipper® on County Connection express routes pay a \$0.25 premium for single rides and a \$10 premium for a monthly pass. Consolidation of Route 27 into Route 99X would result in current riders on Route 27 paying the higher Express route fare. To avoid this burden placed on Route 27 riders, the proposed changes also include eliminating all fares on Route 99X. In addition, consistent with applicable federal requirements, paratransit fares would also be free on complementary trips.

Figure 1: Proposed Route Alignment



4 EQUITY ANALYSIS

The proposal includes elimination of Route 27 and a change to the Route 99X alignment that affects more than 25% of the daily transit revenue miles, thereby meeting County Connection's definition of a "major service change" on each route. Due to the interconnected nature of the proposal, this analysis evaluates the changes to both routes as a single major service change. In addition, the proposal to provide free fares on Route 99X constitutes a fare change pursuant to the Title VI Circular.

4.1 Data and Methodology

This analysis evaluates the impacts of the proposed changes by comparing the proportion of minority and low-income riders who would be affected by the change to the system as a whole. Although the proposal includes elimination of Route 27, most of this service would be replaced by the proposed alignment changes to Route 99X. However, service to some stops would be eliminated, which is an adverse effect. Conversely, the proposed elimination of fares on Route 99X would be a benefit. This analysis measures the distribution of both the adverse effects and benefits of the proposed changes. The most appropriate measure of the adverse effect is the reduction in boardings that will result from the changes, while benefits will be measured based on the number of riders who will receive free rides.

Definitions

Minority – FTA defines a minority person as anyone who is American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, or Native Hawaiian or other Pacific Islander.

Low-Income – FTA defines a low-income person as a person whose median household income is at or below the U.S. Department of Health and Human Services (HHS) poverty guidelines. However, FTA encourages the use of any locally developed threshold provided that the threshold is at least as inclusive as the HHS poverty guidelines. Due to the area's higher cost of living, County Connection defines low-income as 150% of the federal poverty level.

Data Sources

In March 2023, staff conducted an onboard survey on Routes 27 and 99X to gather demographic data on riders. However, due to the low sample size, data from American Community Survey 2021 (ACS 1 Year Estimates) was used instead to estimate the impact of the service change.

American Community Survey

The American Community Survey (ACS) is an ongoing survey that provides vital information regarding demographics and employment on a yearly basis.

- The population data is coded by table B03002, field B03002001.
- Low-income status is set at 150% the US poverty level. This is coded by the appropriate fields in table C17002.
- Minority status is coded by table B03002, by subtracting the white, non-Hispanic population (B03002003) from the total population (B03002001).

Methodology

The following methodology was used to analyze the impact of the proposed changes:

- 1. Quantify the system wide population, including its low-income and minority percentages.
 - For each route, build a shape that represents the area within three-quarter mile of any of its stops.
 - Overlay with 2021 ACS data. Get a list of block groups and the percentage overlap with each.
 - For each block group, take the percentage of overlap with the catchment area and multiply it by the block group's population, minority population, and low-income population.
 - Overlay census block layer and for each block, take the percentage of overlap with the block group and multiply it by the block group's population, minority population, and low-income population.
 - Select the blocks with centroids within 0.25 miles of all active bus stops. This is the catchment area.
 - Calculate the total population within the catchment area by summing the subtotals from each block.
 - Calculate the total minority population, total low-income population, percentage of minority population and percentage of low-income population served.
- 2. Estimate the minority and low-income populations served by current route alignment.
 - Select the blocks with centroid within 0.25 miles of the current stops on the alignment. This is the current route catchment.
 - Calculate the total population, total within the route catchment area by summing the subtotals from each block.
 - Calculate the total minority population, total low-income population, percentage of minority population and percentage of low-income population served.
- 3. Estimate the minority and low-income populations who would be impacted by the proposed changes by route.
 - Select the blocks with centroid within 0.25 miles of the proposed stops on the alignment. This is the proposed route catchment.

- Calculate the total population, total within the route catchment area by summing the subtotals from each block.
- Calculate the total minority population, total low-income population, percentage of minority population and percentage of low-income population served.
- 4. Calculate the percentages of minority and low-income population who would be impacted by the proposed changes across all adjusted routes. These are calculated by dividing the total impacted minority and low-income population for all affected routes by the total impacted population.
- 5. Compare the percentages of minority and low-income population who would be impacted to the percentages of those population systemwide to see if the difference exceeds the disparate impact threshold or disproportionate burden threshold of 20%.

4.2 Service Impact Assessment

Error! Reference source not found. shows the estimated ridership impact due to the proposed alignment change. The ridership impact is low since existing Route 27 trips will be consolidated with the proposed Route 99X changes, and the Route 27 segments that will be eliminated have very low to no ridership.

Table 4.1 Estimated Ridership Impact

Route Alignment	Ridership
Current	60
Proposed	57
Impacted	-3

Table 4.2 below shows the base route metrics used for the impact assessment according to the methodology outlined above. This includes estimated population served on the current alignment, estimated population served on the proposed alignment, and percentages of minority and low-income population from the ACS data.

Table 4.2 also shows the estimated population that would be impacted by the proposed changes. A negative number indicates an adverse effect due to the change in alignment.

Table 4.2: Population Statistics

Route Alignment	Total Population served (Blocks within 0.25 miles of stops)	Minority Population	Low Income Population
Current	6,538	3,074	604
Proposed	5,197	2,386	504
Impacted Population	-1,341	-688	-100
% of Impacted Population		51.3%	7.5%

Finally, Table 4.3 summarizes the results of the analysis. Based on ACS data, 49.9% of the population within County Connection's systemwide service area are considered minority and 11.4% are considered low-income. Based on the estimates of impacted population, 51.3% are minority, and 7.5% are low-income.

Table 4.3: Service Impact Analysis Results

	% Minority	% Low-Income
Impacted Population	51.3%	7.5%
Systemwide	49.9%	11.4%
Difference from Systemwide	+1.4%	-3.9%
Results	No Disparate Impact	No Disproportionate Burden

There is no disparate impact on minority populations from the proposed service changes. While minority populations would be impacted slightly more than their proportion of population systemwide, the differential of +1.4% is well below the 20% threshold set forth in the Disparate Impact Policy. Also, as noted in **Error! Reference source not found.**, the number of riders who would be impacted is estimated to be very low at 3 riders.

There is also no disproportionate burden on low-income populations from the proposed service changes. Based on the analysis, low-income populations would be impacted less than their proportion in the service area as a whole by a margin of 3.9%.

4.3 Fare Impact Assessment

Table 4.4: Fare Impact Analysis Result

	% Minority	% Low-Income
Percent Impacted	45.9%	9.7%
Systemwide	49.9%	11.4%
Difference from Systemwide	-4.0%	-1.7%
Results	No Disparate Impact	No Disproportionate Burden

As discussed above, based on the data from ACS 1 Year Estimates, 49.9% of the population within the County Connection service area are considered minority, and 11.4% are considered low-income. Based on the estimates of impacted population, 45.9% are minority, and 9.7% are low-income.

Though the impacted populations are slightly less minority and slightly less low-income than the service area as a whole, the differences are beneath County Connection's Disparate Impact and Disproportionate Policy thresholds of 20%. Accordingly, implementation of free fares on Route 99X would not result in either a disparate impact nor a disproportionate burden.

As noted previously, Route 99X is funded by the LCTOP grant program, which is intended to deliver environmental benefits to low-income communities. The route, including the proposed alignment changes, will continue to serve AB 1550 low-income communities and a Metropolitan Transportation Commission Equity Priority Community (formerly known as communities of concern), furthering a main goal of the LCTOP grant, which is to improve mobility for disadvantaged and low-income communities.

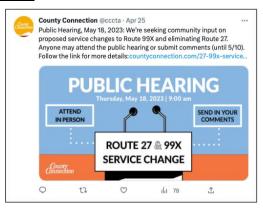
5 PUBLIC OUTREACH

In April 2023, staff conducted outreach onboard buses to solicit feedback from passengers. Notices for the public hearings were placed on all buses, as well as in the East Bay Times. Information about the proposed service plan was available on County Connection's website and announced through several social media posts on Twitter, Facebook, Instagram, and NextDoor. Copies of outreach materials and public hearing notices are attached in Appendix B.

APPENDIX A: RESOLUTION NO. 2013-019 AND COUNTY CONNECTION'S TITLE VI POLICIES

APPENDIX B: PUBLIC OUTREACH MATERIALS & NOTICES OF PUBLIC HEARING

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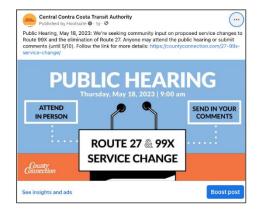
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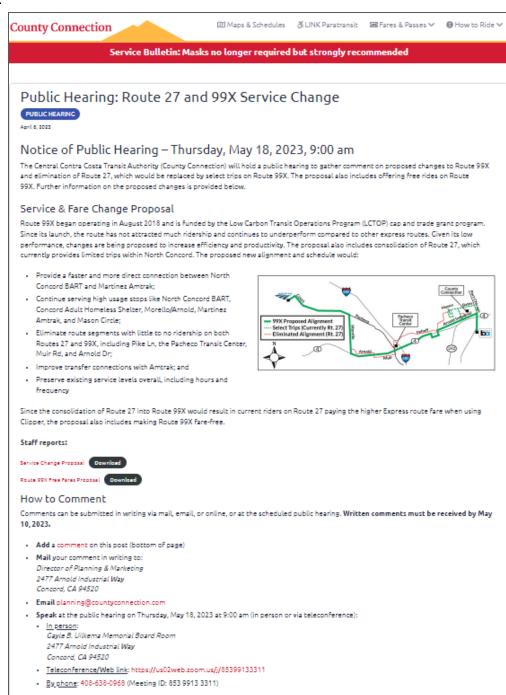


Passenger Notices





Website



following the public hearing.

It is anticipated that the Board of Directors will take action on the proposed program at their regular meeting scheduled for May 18, 2023,

Legal Notice

NOTICE OF PUBLIC HEARING

The Central Contra Costa Transit Authority (County Connection) will hold a public hearing to receive public comment on proposed changes to Route 99X and the elimination of Route 27. As proposed, Route 99X will incorporate Route 27's current trips. The proposed changes also include offering free rides on Route 99X. Further information on the proposed changes is available on the County Connection website or by calling (925) 676-7500.

Comments can be submitted in writing via mail, email, or online, or at the scheduled public hearing. Written comments must be received by May 10, 2023. It is anticipated that the Board of Directors will take action on the proposed program at their regular meeting scheduled for May 18, 2023, following the public hearing.

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2477 Arnold Industrial Way

Concord, CA 94520

Email: <u>planning@countyconnection.com</u>

Online: https://countyconnection.com/27-99x-service-change/

Public Hearing: Thursday, May 18, 2023 at 9:00 am

Gayle B. Uilkema Memorial Board Room

2477 Arnold Industrial Way

Concord, CA 94520

Teleconference option:

Web link: https://us02web.zoom.us/j/85399133311
By phone: 408-638-0968 (Meeting ID: 853 9913 3311)

Bill Churchill, General Manager Central Contra Costa Transit Authority 2477 Arnold Industrial Way Concord, CA 94520

APPENDIX C: PUBLIC COMMENTS

APPENDIX D: Resolution 2023-XX, Approving the Proposed Service and Fare Change and Evidencing Consideration of this Equity Analysis